

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRANKIE JAMES GARNER,
Petitioner,

v.

C.A. No. 04-12017-EFH

COMMONWEALTH,
Respondent.

ORDER ON APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

Having considered the petitioner's Application to Proceed Without Prepayment of Fees and Affidavit under 28 U.S.C. § 1915:

It is ORDERED that:

- ☐ The Application to Proceed Without Prepayment of Fees and Affidavit is GRANTED.
- ☒ The Application to Proceed Without Prepayment of Fees and Affidavit is DENIED for the following reason(s):

Petitioner has sufficient funds to pay the \$5 filing fee.
- ☒ It is FURTHER ORDERED that petitioner must pay the \$5.00 filing fee within 42 days of the date of this Order or this case will be dismissed without prejudice.

9/21/04
DATE

s/ Edward F. Harrington
UNITED STATES DISTRICT JUDGE